



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN  
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE  
ENVIRONMENTAL PROTECTION BUREAU

April 23, 2012

**VIA ECF**

Gerald P. Lepp, Esq.  
ADR Administrator  
United States District Court  
Eastern District  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *State of New York v. West Side Corp., et al.*  
U.S. Dist. Ct., E.D.N.Y. Index No. CIV 07-4231 (ENV) (RLM)

Dear Mr. Lepp:

Please be advised that the parties have selected a mediator, Edna Sussman, Esq., in the above referenced matter. The parties are working on the details of the mediation. We are looking at having a meeting in the middle of May, possibly the 15<sup>th</sup> and 16<sup>th</sup> and will work out location. The parties are also working on producing documents and other materials requested by Ms. Sussman in advance of the mediation. The State has provided copies of Judge Vitaliano's Memorandum and Order dated June 3, 2011 and the Stipulation of dismissing the State's claims against defendants Dow Chemical Company, Ethyl Corporation, and PPG Industries, Inc. Defendants West Side Corp., and Sheldon F. Schiff will produce information regarding their respective financial condition.

Ms. Sussman has offered to serve as mediator in this case on a pro bono basis. The State, subject to its review of its ethics laws, is inclined to accept this arrangement given the current economic and financial environment.

As soon as the details regarding the timing and location are resolved, I will inform you.

Very truly yours,

*/s/ Pedro Medina*

Pedro Medina  
Assistant Attorney General

cc:

Edna Sussman, Esq. via electronic mail  
All counsel via electronic filing